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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF MOBITV, INC.,	09 Civ. 7071 (DLC) (MHD)
IN RE APPLICATION OF AT&T MOBILITY LLC,	09 Civ. 7072 (DLC) (MHD)
IN RE APPLICATION OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,	09 Civ. 7074 (DLC) (MHD)
IN RE APPLICATION OF ERICSSON INC.,	09 Civ. 7076 (DLC) (MHD)
Related to	
UNITED STATES OF AMERICA,	41 Civ. 1395 (DLC) (MHD)
Plaintiff, v.	[PROPOSED] **STIPULATION AND ORDER**
AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS,	
Defendant.	

IT IS HEREBY STIPULATED AND AGREED, by and among the American Society of Composers, Authors and Publishers ("ASCAP") and MobiTV, Inc. ("MobiTV"), AT&T Mobility LLC ("AT&T"), Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") and Ericsson Inc. ("Ericsson") (collectively, the "Parties" and individually "Party"), and the Parties request jointly that the Court order, by so ordering this Stipulation and Order, that:

1.   Any draft reports of those individuals properly designated by each Party as expert witnesses pursuant to Federal Rule of Civil Procedure 26(a)(2)(A) in each of the proceedings indicated above ("Experts"), and any correspondence and oral communications between or among a Party's inside counsel, outside counsel of record and such Experts, except to the extent such correspondence or communications are relied upon by the Expert or form, to any degree,

the basis of the Expert's opinions, shall not be discoverable or admissible for any purpose in each such proceeding. The foregoing shall not affect the discoverability or admissibility of the materials and facts considered or rejected by the Expert in formulating his or her opinions or of documents or other factual information delivered with correspondence between counsel and the Expert.

    2.   The draft reports, correspondence and oral communications referenced in the previous paragraph shall not be discoverable or admissible for any purpose in any other proceedings.
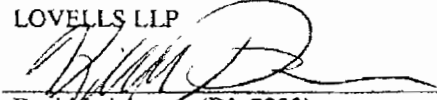
    The Parties, by their counsel, hereby consent to the foregoing Order.

Dated: New York, New York
       October 26, 2009

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*Attorneys for American Society of
Composers, Authors and Publishers*

So ordered.

[handwritten signature]
[handwritten] O. Xaber 27, 2009

(Signatures continue on the following pages.)

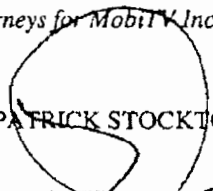2

Dated: Redwood Shores, California
     October 23, 2009

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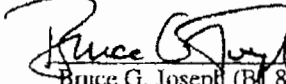   October 23, 2009

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Dated: Washington, D.C.
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Dated: Washington, D.C.
     October 23, 2009

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Attorneys for Ericsson Inc.

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SO ORDERED.

Dated: New York, New York
       October ___, 2009

Hon. Denise Cote
United States District Judge